
COMMONWEALTH OF VIRGINIA



OFFICE OF THE GOVERNOR

Executive Order 2 (2006)

COMMUNITY INTEGRATION FOR VIRGINIANS WITH DISABILITIES

Importance of the Issue

Each Virginian with a disability deserves to enjoy the same benefits of society and freedoms of everyday life that Virginians without disabilities enjoy. The Commonwealth has an obligation under the U.S. Supreme Court's *Olmstead v. L.C.* decision, the Americans with Disabilities Act, and the Virginians with Disabilities Act to provide appropriate opportunities for people with disabilities who choose to do so to become fully integrated into the community. Accordingly, state government must have appropriate structures in place to facilitate community integration for people with disabilities.

Community Integration Implementation Team

By virtue of the authority vested in me by Section 2.2-134 of the *Code of Virginia*, I hereby establish the Community Integration Implementation Team. The Community Integration Implementation Team shall consist of one representative of each of the following state agencies, who shall be designated by the head or designee of the following agencies and entities:

- Department for the Blind and Vision Impaired
- Department of Education
- Department of Housing and Community Development
- Department of Medical Assistance Services
- Department of Mental Health, Mental Retardation and Substance Abuse Services

- Department of Rail and Public Transportation
- Department of Rehabilitative Services
- Department of Social Services
- Department of Transportation
- Department of Veterans' Services
- Office of Comprehensive Services for At-Risk Youth and Families
- Special Advisor to the Governor for Workforce Development
- State Council of Higher Education for Virginia
- Virginia Board for People With Disabilities
- Virginia Community Colleges System
- Department for the Aging
- Department for the Deaf and Hard of Hearing
- Department of Health
- Department of Professional and Occupational Regulation
- Virginia Housing Development Authority
- Statewide Independent Living Council

The Secretaries of Commerce and Trade, Education, Health and Human Resources, and Transportation, or their designees, shall serve as *ex officio*, voting members of the Implementation Team. The Governor may appoint representatives of other agencies or institutions of higher education to the Implementation Team at his discretion.

The Director of Community Integration for People with Disabilities shall chair the Implementation Team. The vice-chairman shall be selected by majority vote of the members of the Implementation Team. The Implementation Team shall:

1. Develop and annually update a comprehensive, cross-governmental strategic plan, the purpose of which is to assure continued community integration of Virginians with disabilities;
2. Seek advice and input from the Governor's Olmstead Community Integration Oversight Advisory Board as the strategic plan is developed;
3. Develop budget and legislative proposals that support implementation of the strategic plan; and
4. Report by July 15, 2006, to the Board on the status of community integration of Virginians with disabilities.

All executive branch agencies of the Commonwealth shall participate in the activities of the Team upon request.

Oversight Advisory Board

By virtue of the authority vested in me by Section 2.2-134 of the *Code of Virginia*, I hereby create the Governor's Olmstead Community Integration Oversight Advisory Board. The Oversight Advisory Board is classified as a gubernatorial advisory commission in accordance with Sections 2.2-134, 2.2-135, and 2.2-2100 of the *Code of Virginia*.

The Board shall have a total membership of 21 citizen members, appointed by the Governor. The Board shall consist of: 11 members with disabilities, including one current resident of a state mental health facility, one current resident of a state mental retardation training center, and one current resident of a nursing facility; four family members of Virginians with disabilities; and six members who provide services to Virginians with disabilities or who advocate for such persons or services. In making appointments to the Board, the Governor shall endeavor to ensure both a balanced geographical representation and a diverse disability and ethnic representation. Additional members may be appointed at the Governor's discretion.

Members of the Board shall serve without compensation. They may receive reimbursement for expenses incurred in the discharge of their official duties upon approval by the Director.

The Board shall elect a chairman from its membership and may elect one of its members as vice-chairman. The Board shall also elect one of its members as secretary. The Board shall meet at least four times a year at such times as it deems appropriate or on call of the chairman. A majority of the members of the Board shall constitute a quorum.

The Director shall provide staff support to the Board. The purpose of this Board shall be to:

1. Monitor the implementation of state and federal laws concerning community integration of Virginians with disabilities;
2. Study all matters that present barriers or challenges to full community integration of Virginians with disabilities;
3. Advise and make recommendations to the Director and the Implementation Team related to eliminating barriers and challenges to community integration of Virginians with disabilities and such other related matters as may arise in the performance of their duties;

4. Review and advise the Director and the Implementation Team on its strategic plan; and
5. Report recommendations to the Governor.

All agencies of the Commonwealth shall assist the Board upon request. Additional staff support as is necessary for the conduct of the Implementation Team and Oversight Advisory Board's work during the term of their existence shall be furnished by the Office of the Governor and such other executive agencies as the Governor may designate. An estimated \$20,000 annually is required to support the work of the Board and the Team.

Director of Community Integration for People with Disabilities

There is hereby established in the Office of the Governor a Director of Community Integration for People with Disabilities, to direct and coordinate all Olmstead implementation and oversight activities. The duties of this position will be as follows:

1. Review agency strategic plans to assure that they support community integration of Virginians with disabilities;
2. Create a system to monitor the effectiveness of community integration efforts;
3. Assist agencies in implementing policies and regulatory changes needed to ensure and support community integration of Virginians with disabilities;
4. Monitor federal legislation and policy in order to maximize the Commonwealth's effective use of and access to funds that support community integration;
5. Report annually by May 31 to the Governor on the status of efforts to create opportunities that further the goal of ensuring integration of Virginians with disabilities into the community; and
6. Serve as Chairman of the Implementation Team.

An estimated 1,500 hours of staff time will be required to coordinate and support the Implementation Team and the Oversight Advisory Committee.

Effective Date of the Executive Order

This Executive Order shall become effective upon its signing and shall remain in full force and effect until January 14, 2007, unless amended or rescinded by further executive order.

Given under my hand and under the Seal of the Commonwealth of Virginia this 14th day of January 2006.

Timothy M. Kaine, Governor

Attest:

Secretary of the Commonwealth